

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

EDWARD DANE JEFFUS,	)	
	)	
Petitioner,	)	
	)	
v.	)	1:16CV1276
	)	6:92CR184-2
UNITED STATES OF AMERICA,	)	
	)	
Respondent.	)	

ORDER

On February 13, 2017, the United States Magistrate Judge's Recommendation was filed and notice was served on Petitioner pursuant to 28 U.S.C. § 636. Petitioner filed objections [Doc. #352] to the Recommendation within the time limit prescribed by Section 636. The Court has reviewed Petitioner's objections de novo and finds they do not change the substance of the United States Magistrate Judge's Recommendation [Doc. #350], which is affirmed and adopted.

To the extent that Petitioner in his objections seeks to compel the Bureau of Prisons to file a motion to modify his sentence, or otherwise seeks to challenge a determination by the Bureau of Prisons, it appears that such a challenge was considered and rejected in the Eastern District of North Carolina on Petitioner's Motion under 28 U.S.C. § 2241, Case No. 5:15HC2240-D (E.D.N.C. Oct. 5, 2016), and that determination was affirmed by the Court of Appeals for the Fourth

Circuit, Case Nos. 16-7154 (4th Cir. Feb. 3, 2017) and 16-7659 (4th Cir. Apr. 21, 2017). Such a challenge is not properly before this Court.

IT IS THEREFORE ORDERED that this action is DISMISSED sua sponte for failure to obtain certification for this § 2255 application by filing a Motion for Authorization in the Court of Appeals as required by 28 U.S.C. §§ 2255 and 2244 and Fourth Circuit Local Rule 22(d), and that, finding no substantial issue for appeal concerning the denial of a constitutional right affecting the conviction, nor a debatable procedural ruling, a certificate of appealability is DENIED.

This the 4<sup>th</sup> day of June, 2018.

/s/ N. Carlton Tilley, Jr.  
Senior United States District Judge